GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department – WP No.4712 of 2022 filed by V. Satish, Sub Inspector of Police, Eluru Range presently working at Gampalagudem PS, Krishna District for fixation of seniority in the cadre of SI of Police along with 2008 batch SIs of Police – Implementation of the Hon'ble High Court of A.P. - Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt.No.1026 **Dated:25.09.2023**

Read the following:

1) Govt. Memo.No.1277828/Ser II/A1/2020, Home (Ser.II) Dept., dt: 29.10.2021.
2) From the Director General of Police, AP, Mangalagiri, Letter Rc.No.167/E1/2018, Dated:08.03.2022.
3) Govt. Memo.No.1277828/Ser.II/A1/2020, Home (Ser.II) Dept, dt:24.03.2022.
4) From the Hon'ble High Court of A.P., order dt.10.07.2023 in WPNo.4712/2022.

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ORDER:

The Director General of Police, A.P., Mangalgiri is informed that Sri V.Satish, Sub Inspector of Police, Eluru Range has filed WP No.4712/2022 before the Hon'ble High Court of A.P., against the speaking orders issued by the Government vide reference 1st read above praying to set aside the Government memo and consequently direct the respondents to assign notional seniority on par with 2008 batch of Sub Inspectors of Police with all consequential benefits.

2. In the reference 4th read above, the Hon'ble High Court of A.P., has passed the following order:

'Based on the above, learned counsel for the petitioner has submitted that the issue was already decided by the Tribunal in O.A.No.11709 of 2009 and W.P.No.30384 of 2010. Both the Courts have determined the issue and directed the respondents to appoint the petitioner as Sub-Inspector with effect from the date of his original selection and the said orders became final. According to Rule 15 of Andhra Pradesh Police (Civil) Subordinate Service Rules, the petitioner is entitled for his seniority from the date of his original selection as per the marks obtained in 2008 selection batch.

Considering the said submissions, though the respondents have rejected the case of the petitioner only on the ground of the orders passed in W.P.No.6095 of 2019 but, in fact, the Hon'ble High Court in W.P.No.30384 of 2010 has directing the Government to issue appointment order to the petitioner for the post of Sub-Inspector of Police(Civil) pursuant to the selection and send him for training and that became final.

In view of the above observations, the respondents have no other option except to consider the case of the petitioner and assign notional seniority on par with 2008 batch of SIs.

Accordingly, this Writ Petition is disposed of directing respondents to assign notional seniority to the petitioner on par with 2008 batch of SIs. No costs.

Miscellaneous petitions pending, if any, in this Writ petition shall stand closed.

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3. The matter has been examined in consultation with the Advisory Department and also in view the Hon'ble High Court of Madras, Judgment in W.P.No.8575 of 2009 dated:16.10.2019 read that '8(4)(i) "it is clear that inter-se seniority has to be fixed based on the date of selection and not on the subsequent date of appointment and sending for training. All the selection of persons in a particular batch has to be considered as single selection and it cannot be split up based on the date of sending persons for training" and decide to implement the orders dated:10.07.2023 in WP No.4712/2022 of the Hon'ble High Court of A.P.

4. Accordingly, Government hereby request the Director General of Police, A.P., Mangalagiri to implement the order dated:10.07.2023 of the Hon'ble High Court of A.P., in WP No.4712/2022 filed by Sri V.Satish, Sub Inspector of Police for fixation of his seniority along with 2008 batch Sub Inspectors of Police basing on the marks, subject to issue notices to the affected parties by giving reasonable time in terms of Rule 24 of AP State and Subordinate Service Rules, 1996.

5. The Director General of Police, A.P., Mangalagiri is therefore requested to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Mangalagiri (w.e).
Copy to:
The Deputy Inspector General of Police, Eluru Range, Eluru.
The Government Pleader for Ser.I, High Court of Andhra Pradesh, Amaravati.
SF/SCs.

//Forwarded :: By Order//

SECTION OFFICER.